

**THIRTY-NINTH DAY.**

(Tuesday, March 16, 1937)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Senator Small.

The roll was called and the following Senators were present:

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

The following Senators were absent and excused;

Davis. Rawlings.

A quorum was announced present.

The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of yesterday was dispensed with, on motion of Senator Aikin.

**Leaves of Absence Granted.**

Senator Davis was granted leave of absence for today and tomorrow on account of important business, on motion of Senator Woodruff.

Senator Rawlings was granted leave of absence for today and tomorrow on account of the death of his sister, on motion of Senator Stone.

**Reports of Standing Committees.**

Reports on Senate Bills Nos. 46, 106, 133, 132, 134, 131, 234, 233, 232, 135, 240, 275, 394, 245, 430, 431, 432, 236 and 237, on House Bill No. 250, and on H. C. R. No. 53 were submitted by the chairmen of the several committee to which they were referred. (See appendix for reports in full.)

**Senate Bills on First Reading.**

Senator Redditt moved that the rule limiting the time for introduc-

tion of certain bills be suspended, to permit the introduction of a general bill at this time.

The motion prevailed by the following vote:

Yeas—29.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Rawlings.
Burns.	Redditt.
Collie.	Roberts.
Cotten.	Shivers.
Head.	Small.
Hill.	Spears.
Holbrook.	Stone.
Isbell.	Sulak.
Lemens.	Van Zandt.
Moore.	Weinert.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

Absent—Excused.

Davis. Westerfeld.

The following bill was then introduced, read first time and referred by the Presiding Officer to the Committee on Public Health:

By Senator Redditt:

S. B. No. 429, A bill to be entitled "An Act to amend Article 4576 of the Revised Civil Statutes of the State of Texas, and being an act of the Forty-fourth Legislature, 1935, p. 745, Ch. 324, Sec. 1; and to amend Article 4577 of the Revised Civil Statutes of the State of Texas, being an act of the Legislature of 1903, p. 123, and the acts of the Legislature of 1915, p. 211; and to amend Article 4578 of the Revised Civil Statutes of the State of Texas, and being an act of the Legislature of 1915, p. 180; and to amend Article 4579 of the Revised Civil Statutes of the State of Texas, and being acts of the Legislature of 1915, p. 180; and to amend Article 4585 of the Revised Civil Statutes of the State of Texas, and being acts of the Legislature of 1903, p. 123; and to amend Article 4581 of the Revised Civil Statutes of the State of Texas, and being acts of the Legislature of 1903, p. 123; and to amend Article 4582 of the Revised Civil Statutes of the State of Texas, and being acts of the Legislature of 1903, p. 123; and to amend Article 4582-A of the Revised Civil Statutes of the State of Texas, and being acts of the Forty-fourth Legislature, 1935, p. 676, Ch.

287; to increase the membership of the State Board of Embalming to six members, and to provide for a rotating board, and fixing the terms of office at six years; prescribing the qualifications of the members of said Board, and their terms of office; fixing the powers and duties of said Board; to increase the powers and duties of the said Board; defining "Embalming" and "funeral directing" and "funeral director"; providing for the method and manner of making application, examination, licensing of persons desiring to become embalmers or funeral directors in Texas; and fixing their minimum qualifications; providing for renewal of embalmers' license; providing for the revoking of an embalmer's license and funeral director's license, the reasons or grounds for same; providing for hearings by the Board on questions of revocations of licenses of embalmers and funeral directors, and providing for an appeal to the District Court, and the manner thereof; fixing the situs of the Board; providing that the Board or members thereof shall have the right to bring suit in the name of the State of Texas to enjoin persons from violations of this act; providing for fees for examination of applicants for licenses under this Act; providing that said Board and department shall be self-supporting and shall not be an expense to the State; providing that nothing in this Act shall interfere with the duties of municipal, county or State officers or State institutions; providing a penalty for violations of this Act, etc., and declaring an emergency."

Senator Beck moved that the rule limiting the time for introduction of certain bills be suspended, to permit the introduction at this time of three bills, the provisions of which he explained to the Senate.

The motion prevailed by the following vote:

Yeas—29.

Aikin.	Lemens.
Beck.	Moore.
Brownlee.	Neal.
Burns.	Nelson.
Collie.	Newton.
Cotten.	Oneal.
Head.	Pace.
Hill.	Redditt.
Holbrook.	Roberts.
Isbell.	Shivers.

Small.  
Spears.  
Stone.  
Sulak.  
Van Zandt.

Weinert.  
Westerfeld.  
Winfield.  
Woodruff.

Absent—Excused.

Davis.

Rawlings.

The following bills were then introduced, read first time and referred by the Presiding Officer to the Committee on Judicial Districts:

By Senators Beck and Aikin:

S. B. No. 430. A bill to be entitled "An Act amending Sub-section 102 of Article 199 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 16, Acts of the 39th Legislature, Regular Session, as amended by Chapter 253, Acts of the 43rd Legislature, Regular Session, as amended by Chapter 103, Special Laws of the 43rd Legislature, Regular Session, as amended by Chapter 158, Acts of the 44th Legislature, Regular Session, providing for the time of holding the terms of court of the District Court of the 102nd Judicial District of Texas, naming the counties constituting the same; changing the length of the terms of the District Court in the counties in said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to Grand and Petit Jurors made necessary by the changes made by this Act, and validating and legalizing the same, and repealing all laws and parts of laws in conflict, and declaring an emergency."

By Senators Beck, Pace and Aikin:

S. B. No. 431, A bill to be entitled "An Act amending Subsection 76 of Article 199 of the Revised Civil Statutes of Texas, 1925, providing for the time of holding the terms of court of the District Court of the 76th Judicial District of Texas, changing the length of the terms of the District Court in the counties in said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to Grand and Petit Jurors made necessary by the changes made by this Act, and validating and legalizing the same, and repealing all laws or parts of laws in conflict, and declaring an emergency."

By Senator Beck:

S. B. No. 432, A bill to be entitled "An Act amending Article 199, Revised Civil Statutes of Texas, 1925, as amended by Chapter 254, Acts of the 43rd Legislature, Regular Session, as amended by Chapter 104, Special Laws of the 43rd Legislature, Regular Session, as amended by Chapter 158, Acts of the 44th Legislature, Regular Session; providing for the reorganization of the Fifth Judicial District, naming the counties constituting the same; fixing the terms of the District Court in the counties of the district; making provisions with reference to process issued, bonds and recognizances made and Grand and Petit jurors drawn before this Act takes effect; providing for the jurisdiction of said courts as to civil and criminal business, fixing the time of taking effect of this act; providing for the district clerk of such court; repealing all laws and parts of laws in conflict, and declaring an emergency."

**Senate Resolution No. 48.**

Senator Holbrook offered the following resolution:

Whereas, Mrs. Ed. Welch, the sister of our esteemed colleague, Senator Rawlings, died at her home in Sulphur, Oklahoma, on March 15th

Therefore, be it resolved, that the Senate instruct its Secretary to send flowers with card of sympathy.

The resolution was adopted unanimously.

**Senate Concurrent Resolution No. 48.**

Senator Collie offered the following resolution:

Be it resolved, By the Senate of Texas, the House of Representatives concurring,

That Honorable W. R. Chapman, Judge of the 104th Judicial District Court of Texas, be, and he is hereby granted permission to be absent from the State of Texas at such intervals and for such time as he may see fit and proper during the year 1937, taking into consideration the docket of said court.

The resolution was read.

On motion of Senator Collie and by unanimous consent, the Senate rule requiring concurrent resolutions to be referred to a committee was sus-

pending, to permit consideration of the resolution at this time.

The resolution was adopted.

**Invitation Accepted.**

Senator Winfield extended an invitation to the Senators to visit the site of the proposed Big Bend Park next Saturday, March 20, 1937.

On motion of Senator Collie, the invitation was accepted.

**Senate Resolution No. 49.**

Senator Stone offered the following resolution:

Whereas, This body has been advised that there is pending in the Legislature of the State of Iowa, a bill introduced by Senator Husted, S. 150, proposing to levy a prohibitive tax of five cents a pound on each pound of shortening sold or offered for sale in that state; and

Whereas, Shortening is the principal market outlet for cottonseed oil of which Texas normally produces 450,000,000 pounds annually; and

Whereas, Cottonseed oil represents more than one-half of the total value of cottonseed which is the Texas farmer's second most important cash crop, and

Whereas, The levy and collection of these taxes would result in placing a practically complete boycott against the sale of Texas cottonseed oil in the State of Iowa, and which would create strong feeling among the citizens of Texas, and which would probably cause retaliatory steps to be taken against the sale of sizable amounts of products produced in Iowa, among which are meats and farm machinery for which Texas has long been a very extensive market, and thus result in a most undesirable situation from the standpoint of each of the States of Texas and Iowa; now, therefore, be it

Resolved, By the Senate of Texas, that we respectfully plead that the Legislature of Iowa forthwith refuse to pass said Husted bill, so that the chief food product of Texas may continue to be sold in Iowa, just as numerous meat and other Iowa food products are freely sold in Texas, and be it

Further, resolved, That the Legislature of the great State of Iowa be respectfully advised, and their attention be called to the serious result of the levy and collection of the taxes provided for in the bills here-

inabove mentioned with the hope that it will refrain from the levy and collection of any of the proposed taxes, and thus permit the great States of Texas and Iowa to continue their cordial relations and enjoy their most satisfactory commercial relations which they have had in the past years; and, be it

Further resolved, That copies of this Resolution be forwarded by the Secretary of the Senate of Texas respectively to the President of the Senate and the Speaker of the House, Des Moines, Iowa, and the Governor of said State.

The resolution was read and was adopted.

#### Message From the House.

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,  
Austin, Texas, March 16, 1937.

Hon. Walter F. Woodul, President  
of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. C. R. No. 60, Relating to taxation on oil or other minerals which have been mined and stored above ground.

H. C. R. No. 66, Granting permission to Honorable A. S. Moss, District Judge of the 100th Judicial District, to leave the State.

The House has concurred in Senate Amendments to H. B. No. 101 by a vote of 116 yeas and 0 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### Senate Concurrent Resolution No. 49.

Senator Sulak offered the following resolution:

S. C. R. No. 49, Requesting the Congress of the United States, without further delay, to pass the Frazier-Lemke Farm Refinance Bill.

The resolution was read and was referred by the Presiding Officer to the Committee on Agricultural Affairs.

#### House Concurrent Resolutions Nos. 60 and 66.

The following resolutions, received from the House today, were laid be-

fore the Senate, read severally and referred to the Committee on State Affairs:

H. C. R. No. 60.

H. C. R. No. 66.

#### Senate Bill No. 430 on Second Reading.

Senator Beck, by unanimous consent, moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 430 be placed on its second reading and passage to engrossment.

The motion prevailed by the following vote:

Yeas—29.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

Absent—Excused.

Davis. Rawlings.

The presiding Officer then laid S. B. No. 430 before the Senate on its second reading and passage to engrossment:

S. B. No. 430, A bill to be entitled "An Act amending Subsection 102 of Article 199 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 16, Acts of the Thirty-ninth Legislature, Regular Session, as amended by Chapter 253, Acts of the Forty-third Legislature, Regular Session, as amended by Chapter 103, Special Laws of the Forty-third Legislature, Regular Session, as amended by Chapter 158, Acts of the Forty-fourth Legislature, Regular Session, providing for the time of holding the terms of court of the District Court of the 102nd Judicial District of Texas, naming the counties constituting the same; changing the length of the terms of the District Court in the counties in said

Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand and petit jurors made necessary by the changes made by this Act, and validating and legalizing the same, and repealing all laws and parts of laws in conflict, and declaring an emergency."

On motion of Senator Beck and by unanimous consent, the Senate rules requiring printed copies of a bill to be on the desks of Senators 24 hours before consideration of the bill and requiring a report on a bill to lie over one day before consideration of the bill were suspended severally, to permit consideration of the bill at this time.

The bill was read second time and was passed to engrossment.

#### Senate Bill No. 430 on Third Reading.

Senator Beck, by unanimous consent, moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 430 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

#### Absent—Excused.

Davis. Rawlings.

The Presiding Officer laid S. B. 430 before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

18—Jour.

#### Yeas—29.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

#### Absent—Excused.

Davis. Rawlings.

#### Senate Bill No. 431 on Second Reading.

Senator Beck, by unanimous consent, moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 431 be placed on its second reading and passage to engrossment.

The motion prevailed by the following vote:

#### Yeas—29.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

#### Absent—Excused.

Davis. Rawlings.

The Presiding Officer laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 431, A bill to be entitled "An Act amending Subsection 76 of Article 199 of the Revised Civil Statutes of Texas, 1925, providing for the time of holding the terms of court of the District Court of the

Seventy-sixth Judicial District of Texas, changing the length of the terms of the District Court in the counties in said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand and petit jurors made necessary by the changes made by this Act, and validating and legalizing the same, and repealing all laws or parts of laws in conflict, and declaring an emergency."

On motion of Senator Beck and by unanimous consent, the Senate rules requiring printed copies of a bill to be on the desks of Senators 24 hours before consideration of the bill and requiring a report on a bill to lie over one day before consideration of the bill were suspended severally, to permit consideration of the bill at this time.

S. B. No. 431 was then read second time and was passed to engrossment.

#### Senate Bill No. 431 on Third Reading.

Senator Beck, by unanimous consent, moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 431 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29.

Aikin.	Oncal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

Absent—Excused.

Davis. Rawlings.

The Presiding Officer laid S. B. No. 431 before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29.

Aikin.	Oncal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

Absent—Excused.

Davis. Rawlings.

#### Senate Bill No. 432 on Second Reading.

Senator Beck, by unanimous consent, moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 432 be placed on its second reading and passage to engrossment.

The motion prevailed by the following vote:

Yeas—29.

Aikin.	Oncal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

Absent—Excused.

Davis. Rawlings.

The Presiding Officer then laid before the Senate on its second reading and passage to engrossment:

S. B. No. 432, A bill to be entitled "An Act amending Article 199, Revised Civil Statutes of Texas, 1925, as amended by Chapter 254, Acts of the Forty-third Legislature, Reg-

ular Session, as amended by Chapter 104, Special Laws of the Forty-third Legislature, Regular Session, as amended by Chapter 158, Acts of the Forty-fourth Legislature, Regular Session; providing for the reorganization of the Fifth Judicial District, naming the counties constituting the same; fixing the terms of the District Court in the counties in the district; making provisions with reference to process issued, bonds and recognizances made and grand and petit jurors drawn before this Act takes effect; providing for the jurisdiction of said courts as to civil and criminal business, fixing the time of taking effect of this Act; providing for the district clerk of such court; repealing all laws and parts of laws in conflict, and declaring an emergency."

On motion of Senator Beck and by unanimous consent, the Senate rules requiring printed copies of a bill to be on the desks of Senators 24 hours before consideration of the bill and requiring a report on a bill to lie over one day before consideration of the bill were suspended severally, to permit consideration of the bill at this time.

S. B. No. 432 was then read second time and was passed to engrossment.

#### Senate Bill No. 432 on Third Reading.

Senator Beck, by unanimous consent, moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 432 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

Absent—Excused.

Davis.

Rawlings.

The Presiding Officer laid S. B. No. 432 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

Absent—Excused.

Davis.

Rawlings.

#### Senate Bill No. 189 on Second Reading.

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment:

S. B. No. 189, A bill to be entitled "An Act to amend Subsection 62, Article 199, Title 8, of the Revised Civil Statutes of Texas, 1925, revision; and to re-arrange and re-create the 62nd Judicial District of Texas, to re-arrange, change and prescribe the terms of holding district court in the 62nd Judicial District; to add Franklin County to the 62nd Judicial District of Texas; and providing that the 8th and 62nd Judicial District Courts in Hunt County and Delta County, shall have concurrent jurisdiction with each other in said counties respectively throughout the respective limits thereof, of all matters, civil and criminal, of which jurisdiction is given to the district court by the Constitution and laws of the State; and providing that the 6th and 62nd Judicial District Courts in Lamar County shall have concurrent jurisdiction with each other in said county throughout the limits thereof, of all matters, civil and

criminal, of which jurisdiction is given to the district court by the Constitution and laws of the State; and providing that the 76th and 62nd Judicial District Courts in Franklin County shall have concurrent jurisdiction with each other in said county throughout the limits thereof, all matters, civil and criminal, of which jurisdiction is given to the district court by the Constitution and laws of the State; and providing that the judges of the district courts of Hunt, Lamar, Delta and Franklin Counties respectively, may, in their discretion, either in term time or vacation, transfer any case or cases, civil or criminal, that may be pending in such courts to the other district court of said counties respectively, by order or orders entered upon the minutes and permitting the clerk of the court to enter such transfers on the docket of such court; and providing that the judge of the 62nd Judicial District shall never impanel the grand jury in said court in the counties of Hunt, Lamar, Delta, and Franklin unless in his judgment he thinks it necessary; and validating and continuing all processes and writs, etc.; and declaring an emergency."

The Presiding Officer then laid the bill before the Senate on its second reading and passage to engrossment.

On motion of Senator Aikin and by unanimous consent, the Senate rule requiring printed copies of a bill to be on the desks of Senators 24 hours before consideration of the bill was suspended, to permit consideration of the bill at this time.

The bill was read second time and was passed to engrossment.

#### Senate Bill No. 189 on Third Reading.

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 189 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29.

Aikin.	Burns.
Beck.	Collie.
Brownlee.	Cotten.

Head.	Roberts.
Hill.	Shivers.
Holbrook.	Small.
Isbell.	Spears.
Lemens.	Stone.
Moore.	Sulak.
Neal.	Van Zandt.
Nelson.	Weinert.
Newton.	Westerfeld.
Oneal.	Winfield.
Pace.	Woodruff.
Redditt.	

Absent—Excused.

Davis.	Rawlings.
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The Presiding Officer then laid S. B. No. 189 before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

Absent—Excused.

Davis.	Rawlings.
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#### Senate Bill No. 323 on Engrossment.

Senator Woodruff, by unanimous consent, called up from the President's table, on its passage to engrossment (the bill having been read second time on March 8, 1937, and having been tabled subject to call on that day):

S. B. No. 323, A bill to be entitled "An Act to validate the consolidation of contiguous Independent School Districts lying in two or more adjoining counties and elections and proceedings in connection therewith, and to provide for their rights and powers as an Independent School District."

The Presiding Officer laid the bill



before the Senate, and it was passed to engrossment.

**Senate Bill No. 323 on Third Reading.**

Senator Woodruff moved to suspend the constitutional rule requiring bills to be read on three several days and that S. B. No. 323 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

Absent—Excused.

Davis. Rawlings.

The Presiding Officer then laid S. B. No. 323 before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

Absent—Excused.

Davis. Rawlings.

**Committee Substitute for Senate Bill No. 105 on Second Reading.**

On motion of Senator Spears and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment:

C. S. for S. B. No. 105, A bill to be entitled "An Act making certain emergency appropriations out of the General Fund of the State of Texas for the State Tuberculosis Sanatorium for Negroes for the remainder of the fiscal year, ending August 31, 1937, and prescribing certain regulations and restrictions in respect to the expenditure of said appropriations; and declaring an emergency."

The Presiding Officer laid the bill before the Senate, it was read second time, and was passed to engrossment.

**Committee Substitute for Senate Bill No. 105 on Third Reading.**

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. for S. B. No. 105 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

Absent—Excused.

Davis. Rawlings.

The Presiding Officer laid S. B. No. 105 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—29.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

## Absent—Excused.

Davis.	Rawlings.
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**Senate Bill No. 227 on Second Reading.**

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment:

S. B. No. 227, A bill to be entitled "An Act amending Section 17 of Article 2815h of the Revised Civil Statutes of the State of Texas, as amended by the Regular Session of the Forty-fourth Legislature, 1935, governing the creation of junior colleges, by adding thereto a new Sub-section to be numbered Section 17(a) providing that a proposed district may have less than seven thousand (7,000) scholastic enrollment but not less than five thousand (5,000), provided the site of such college is more than seventy-five (75) miles from any other junior or senior college supported by public taxes and provided that the State Board of Education finds that the proposed district is in a growing section and that there is a public convenience and necessity for such junior college, and declaring an emergency."

The Presiding Officer laid the bill before the Senate, it was read second time and was passed to engrossment.

**Senate Bill No. 227 on Third Reading.**

Senator Nelson moved that the constitutional rule requiring bills to be read on three several days be sus-

pended and that S. B. No. 227 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—29.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

## Absent—Excused.

Davis.	Rawlings.
--------	-----------

The Presiding Officer laid S. B. No. 227 before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—29.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

## Absent—Excused.

Davis.	Rawlings.
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**Committee Substitute for Senate Bill No. 99 on Engrossment.**

(Unfinished Business.)

The Presiding Officer laid before the Senate, on its passage to engrossment (the bill having been read second time on March 9, 1937):

C. S. for S. B. No. 99, A bill to be entitled "An Act making appropria-

tions to certain State educational institutions, etc., and declaring an emergency."

Senator Spears offered the following amendment to the bill:

Amend C. S. S. B. No. 99 by adding a new Section to read as follows: provided, however, Nineteen Thousand Dollars of the One Million Eight Hundred and Ninety-eight Thousand Dollars appropriated above, shall be specifically set aside and appropriated to the equalization fund of Bexar County.

SPEARS,  
AIKIN.

The amendment was adopted.

Senator Collie offered the following amendment to the bill:

Amend C. S. for S. B. No. 99 by adding another Section as follows: R. To Highland Rural High School District No. 8, Nolan County, Texas, for the purpose of partial reimbursement for fire loss sustained by said school, \$5,000.00.

The amendment was adopted.

Senator Collie offered the following amendment to the bill:

Amend C. S. for S. B. No. 99 by adding another Section as follows:

S. To Carney Independent School District, Haskell County, O'Brien, Texas, for the purpose of partial reimbursement for fire loss sustained by said school, \$5,000.00.

The amendment was adopted.

Senator Roberts offered the following amendment to the bill:

Amend S. B. No. 99 by adding the following in the appropriate place:

"To Pandora Rural High School in Wilson County for the purpose of rebuilding and equipping school building which was destroyed by electrical storm and fire, the sum of \$6,400.00.

The amendment was adopted.

Senator Westerfeld offered the following amendment to the bill:

Amend S. B. No. 99 by adding a new Section:

\$3500 to rebuild and equip school building burned in Dallas County being in Rylie Common School District No. 29.

The amendment was adopted.

Senator Hill offered the following amendment to the bill:

Amend S. B. No. 99 by adding a new Section:

To Timpson Independent School District to reimburse this District for loss of school building and equipment for loss by fire, \$60,000.00.

Yeas and nays were demanded, and the amendment was adopted by the following vote:

Yeas—17.

Beck.	Redditt.
Burns.	Roberts.
Head.	Shivers.
Hill.	Spears.
Holbrook.	Stone.
Lemens.	Weinert.
Moore.	Westerfeld.
Nelson.	Woodruff.
Newton.	

Nays—10.

Aikin.	Oneal.
Brownlee.	Small.
Collie.	Sulak.
Cotten.	Van Zandt.
Isbell.	Winfield.

Absent.

Neal.	Pace.
-------	-------

Absent—Excused.

Davis.	Rawlings.
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Senator Weinert offered the following amendment to the bill:

Amend S. B. No. 99 by adding the following Section:

For the purpose of erecting a school building in each Senatorial district where no school buildings have burned there is hereby appropriated the sum of \$5,000.00 for each said building so erected, the location of said building to be selected by the Senator from such district.

Senator Hill raised a point of order on consideration of the amendment, on the ground that it is not germane to the bill.

The Presiding Officer sustained the point of order.

Senator Van Zandt offered the following amendment to the bill:

Amend S. B. No. 99 by adding a new Section to read as follows: To pay Gainesville Independent School

District for the loss by fire of Junior High School Building and to aid in the rebuilding thereof, \$30,000.00.

The amendment was adopted.

Senator Roberts offered the following amendment to the bill:

Amend Committee substitute S. B. No. 99 by inserting in the proper place the following:

"There is hereby appropriated the sum of \$2,500.00 for school equipment for the Port O'Connor School District in Calhoun County, Texas."

The amendment was lost.

#### Record of Votes.

Senator Oneal asked to be recorded as having voted "nay" on the several amendments adopted today to C. S. for S. B. No. 99.

Senator Reddit offered the following amendment to the bill:

Amend the committee substitute bill as amended by striking out all after the enacting clause and inserting the following:

Section 1. There is hereby appropriated out of any moneys in the General Revenue Fund, not otherwise appropriated, or so much thereof as may be necessary, to the following State Educational Institutions and for the purposes hereinafter enumerated:

**A. To the Southwest Texas State Teachers College:**

- |   |                     |
|---|---------------------|
| 1. For Gymnasium Building and repairs and other improvements in connection with PWA projects..... | \$ 28,499.00        |
| 2. For plant maintenance and repairs and upkeep and upkeep and improvement of grounds.....        | 4,999.00            |
| <b>Total.....</b>   | <b>\$ 33,498.00</b> |

**B. To John Tarleton Agricultural College:**

- |   |                    |
|---|--------------------|
| 1. For the purpose of erecting a water tower on the campus of said college..... | \$ 7,499.00        |
| <b>Total .....</b>  | <b>\$ 7,499.00</b> |

**C. To West Texas State Teachers College:**

- |  |                     |
|--|---------------------|
| 1. For heat, light, water and general maintenance.....   | \$ 6,999.00         |
| 2. For teachers' salaries contracted to be paid out of local funds exhausted by reason of erecting WPA project ..... | \$ 9,999.00         |
| 3. For the completion of existing WPA projects .....   | 6,999.00            |
| 4. For the completion of the construction of a swimming pool (PWA).....  | 2,999.00            |
| <b>Total.....</b>  | <b>\$ 26,996.00</b> |

**D. To Sul Ross State Teachers College:**

- |   |                     |
|---|---------------------|
| 1. For the balance of the fiscal year ending August 31, 1937 for salary, maintenance and equipment, and to carry on WPA projects..... | \$ 14,049.00        |
| <b>Total .....</b>  | <b>\$ 14,049.00</b> |

**E. To Sam Houston State Teachers College:**

- |   |                    |
|---|--------------------|
| 1. For heat, light, water and general maintenance .....                                   | \$ 3,499.00        |
| 2. For teachers' salaries.....  | 2,499.00           |
| 3. For constructing and building a sidewalk in front of the Sam Houston Park Museum ..... | 749.00             |
| <b>Total.....</b>   | <b>\$ 6,747.00</b> |

## F. To North Texas Agricultural College:

1. To comply with the conditions of an allotment of \$17,500.00 by the WPA to be used for the purpose of erecting cottages for housing students.....\$ 7,499.00
- Total.....\$ 7,499.00

## G. To North Texas State Teachers College:

1. For reconditioning Old Library Building.....\$ 4,999.00
2. For cost of Student Teaching Laboratory, already constructed.....3,499.00
3. For equipment of New Library Building.....9,999.00
- Total.....\$ 18,497.00

## H. To Texas State College for Women (C. I. A.):

1. For general repairs, maintenance and support:
  - Equipment.....\$ 4,999.00
  - Light, heat, and power.....9,999.00
  - Catalogue and printing.....999.00
  - Departmental maintenance.....4,999.00
  - Library maintenance.....999.00
  - Janitor's supplies.....499.00
  - Miscellaneous.....1,499.00
  - Repairs on buildings.....4,999.00
- Total.....\$ 28,992.00

## I. To Stephen F. Austin State Teachers College:

1. Two teachers, Home Economics, six months at \$174.92 each per month.....\$ 2,099.04
2. One teacher of Art, four and one-half months at \$174.90.....786.50
3. One teacher of Economics and Sociology and Business Administration, six months at \$224.90 per month.....1,349.40
4. Equipment for Stone Fort Museum.....4,999.00
5. Curator, Stone Fort Museum, eight months at \$149.90.....1,199.20
- Total.....\$ 10,433.14

## J. To Texas Technological College:

1. For the purpose of topping streets within college campus.....\$ 3,999.00
2. For the purpose of erecting, building, equipping and constructing cottages on said campus.....14,999.00
- Total.....\$ 18,998.00

## K. To the hereinafter named school districts in Burnet and Llano Counties there is hereby appropriated the following amounts:

1. Hoovers Valley C. S. D. No. 11—Burnet County.....\$ 664.00
2. O.K.C.S.D. No. 10—Burnet County.....341.00
3. Burnet Independent District—Burnet County.....2,431.00
4. Long Mountain C.S.D. No. 1.—Llano County.....892.00
5. Llano Independent District—Llano County.....1,956.00
6. Tow C.S.D. No. 19—Llano County.....227.00
7. Bluffton C.S.D. No. 3—Llano County.....569.00
- Total.....\$ 7,080.00

It is further provided that the money appropriated by this Act shall be paid on warrants of the Comptroller on sworn accounts by the trustees, approved by the County Superintendent, of each of said school districts, and said sworn accounts shall give the name, age, sex and grade of each child (not including the regularly enumerated scholastics and transfers) enumerated in each district affected by this Act.

O. To the Vienna Common School District No. 50, Lavaca County, Texas, the following sum for the purpose of building, erecting, equipping and constructing a school building, because of the fact that the same was destroyed by flood and said district is not financially able to pay said amount. It is further provided that the money cannot be paid out except on warrants of the Comptroller on sworn accounts by the trustees of said school district and is needed in the construction and equipping of said school building.....		\$ 999.00
F. To Brownsboro Consolidated School District, Henderson County, Texas, for the purpose of partial reimbursement for fire loss sustained by said school .....		8,499.00
Total.....		\$199,584.14

Sec. 2. The fact that emergency appropriations for said State Educational Institutions are necessary to enable said institutions to carry on their activities creates an emergency and an imperative public necessity which justifies the suspension of the Constitutional Rule requiring bills to be read on three several days in each House, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Senator Redditt offered the following amendment to the amendment:

Amend amendment to C. S. Bill for S. B. No. 99 as amended, by striking out all items of appropriation contained therein except those for institutions of higher learning as itemized in said amendment.

Yeas and nays were demanded, and the amendment to the amendment was adopted by the following vote:

Yeas—19.

Beck.	Redditt.
Burns.	Roberts.
Head.	Shivers.
Holbrook.	Small.
Isbell.	Stone.
Lemens.	Van Zandt.
Nelson.	Weinert.
Newton.	Westerfeld.
Oneal.	Winfield.
Pace.	

Nays—9.

Aikin.	Moore.
Brownlee.	Spears.
Collie.	Sulak.
Cotten.	Woodruff.
Hill.	

Absent.

Neal.

Absent—Excused.

Davis.

Rawlings.

Question recurring on the amendment as amended, yeas and nays were demanded.

The amendment as amended was adopted by the following vote:

Yeas—15.

Beck.	Redditt.
Burns.	Roberts.
Holbrook.	Small.
Isbell.	Stone.
Nelson.	Weinert.
Newton.	Westerfeld.
Oneal.	Winfield.
Pace.	

Nays—12.

Aikin.	Lemens.
Brownlee.	Moore.
Collie.	Spears.
Cotten.	Sulak.
Head.	Van Zandt.
Hill.	Woodruff.

Absent.  
Neal. Shivers.  
Absent—Excused.  
Davis. Rawlings.

Senator Woodruff offered the following amendment to the bill:

Amend C. S. for S. B. No. 99 as amended by striking out all of item 1, Section "H," and insert in lieu thereof the following:

H. 1. To Texas State College for Women, (C. I. A.) Denton, Texas, for general repairs, support and maintenance, \$28,990.00.

Question—Shall the amendment be adopted?

#### Message From the Governor.

A Secretary of the Governor appeared at the bar of the Senate, and being duly announced, presented a message from the Governor, which was read to the Senate, as follows:

Austin, Texas, March 15, 1937.  
To the Senate of the Forty-fifth Legislature:

I ask the advice, consent and confirmation of the Senate to the following appointment:

To be a Member of the Texas Unemployment Compensation Commission (to succeed Wallace Reilly, resigned):

Patrick D. Moreland, of Kaufman, Kaufman County.

Respectfully submitted,  
JAMES V. ALLRED,  
Governor of Texas.

The message was referred by the Presiding Officer to the Committee on Nominations of the Governor.

#### Message From the House.

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,  
Austin, Texas, March 16, 1937.  
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a conference committee to consider the differences between the two Houses on S. B. No. 193. The following are conferees on the part of the House:

Messrs. Bradford, Felty, Bradbury, Farmer and Talbert.

Respectfully submitted,  
LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### Hour for Executive Session Set.

Senator Oneal asked unanimous consent of the Senate that the hour of 11:55 o'clock a. m. today, be set as the time for the Senate to go into Executive Session to consider certain nominations submitted by the Governor.

There was no objection offered, and it was so ordered.

#### Executive Session.

At 11:55 o'clock a. m. the Presiding Officer announced that the hour set for an Executive Session of the Senate had arrived, and he ordered the floor of the Senate cleared of those not entitled to attend the Executive Session and directed the Sergeant-at-Arms and Doorkeeper to keep closed all doors leading from the Chamber.

At the conclusion of the Executive Session, the Secretary of the Senate informed the Journal Clerk that the Senate had adopted in Executive Session a report of the Committee on Nominations of the Governor recommending confirmation by the Senate of the following nomination:

To be a Member of the Texas Unemployment Compensation Commission (to succeed Wallace Reilly, resigned):

Patrick D. Moreland, of Kaufman, Kaufman County, Texas.

#### Adjournment.

The Senate was called to order, as in legislative session, at 12:28 o'clock p. m., by the Presiding Officer (Senator Small).

On motion of Senator Stone, the Senate, at 12:30 o'clock p. m. adjourned until 10:00 o'clock a. m. tomorrow.

#### APPENDIX.

##### Reports of Standing Committees.

Committee Room,  
Austin, Texas, March 10, 1937.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 46, A bill to be entitled "An Act amending Article 2484, Revised Civil Statutes of 1925, as amended by Acts of 1929, Forty-first Legislature, Second Called Session, Chapter 85, page 168, Section 1, requiring certain reports to be made to the Banking Commissioner, and prescribing the time for filing such reports, the fees therefor, prescribing penalty for failure to file, exempting such associations from all franchise or other license tax; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ISBELL, Chairman.

Committee Room,  
Austin, Texas, March 10, 1937.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 131, A bill to be entitled "An Act to amend House Bill No. 513, Chapter 205, passed by the Fortieth Legislature at its Regular Session, approved March 29, 1927, amending Article 455, Revised Civil Statutes of Texas; authorizing the administration of the stockholders' liability fund by the Banking Commissioner; repealing all laws in conflict, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ISBELL, Chairman.

Committee Room,  
Austin, Texas, March 10, 1937.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 134, A bill to be entitled "An Act amending Section 4 of Senate Bill No. 165, Chapter 165, passed by the Forty-second Legislature, at its Regular Session; prescribing the duties of corporations therein defined with respect to the payment of certain filing fees; repealing all laws and parts of laws in conflict therewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass, and be printed.

ISBELL, Chairman.

Committee Room,  
Austin, Texas, March 10, 1937.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 133, A bill to be entitled "An Act repealing Article 543, Chapter 1, Title 11, offenses against public policy and economy of the Penal Code of Texas, 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ISBELL, Chairman.

Committee Room,  
Austin, Texas, March 10, 1937.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 106, A bill to be entitled "An Act repealing House Bill No. 51, Chapter 9, passed by the Forty-third Legislature, at its First Called Session, creating the Bank Deposit Insurance Company, authorizing the liquidation of the affairs of the Bank Deposit Insurance Company; providing method and a jurisdiction for such liquidation; providing for the right of objection upon the part of any person aggrieved and authorizing a hearing thereon; providing for appeal and writ of error; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ISBELL, Chairman.

Committee Room,  
Austin, Texas, March 10, 1937.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 132, A bill to be entitled "An Act repealing Article 502, of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to re-



port it back to the Senate with the recommendation that it do pass, and be printed.

ISBELL, Chairman.

Committee Room,

Austin, Texas, March 10, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 234, A bill to be entitled "An Act to amend Section 8, Senate Bill No. 165, Chapter 165, passed by the Forty-second Legislature, and all amendments thereof with respect to bonds of officers; providing that such bonds may not be required where the corporation carries fidelity insurance as to such officers or employees; repealing laws in conflict therewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ISBELL, Chairman.

Committee Room,

Austin, Texas, March 10, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 233, A bill to be entitled "An Act amending Section 22 of Senate Bill No. 111, Chapter 61, passed at the Second Called Session of the Forty-first Legislature, regulating building and loan associations with respect to bonds of officers and employees of building and loan associations; providing that fidelity insurance policies carried by any association may be accepted in lieu of such bond or bonds; repealing laws in conflict therewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ISBELL, Chairman.

Committee Room,

Austin, Texas, March 10, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 232, A bill to be entitled

"An Act to amend Article 498, Chapter 8, Title 16, of the Revised Civil Statutes of Texas, 1925, relating to fidelity bonds of certain officers and employees of State banking institutions; providing that fidelity insurance policies carried by any bank may be accepted in lieu of such bond or bonds; repealing laws in conflict therewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ISBELL, Chairman.

Committee Room,

Austin, Texas, March 10, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 135, A bill to be entitled "An Act to amend Article 543 of Chapter 9, Title 16, of the Revised Civil Statutes of Texas; authorizing the organization of loan and investment companies; providing for the submission of articles of agreement to the Banking Commissioner of Texas; providing for the issuance of a charter by that officer; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ISBELL, Chairman.

Committee Room,

Austin, Texas, March 10, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 240, A bill to be entitled "An Act amending Article 2525, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts First Called Session, Forty-third Legislature, Article 2526, R. C. S. of Texas, 1925, Article 2527, R. C. S. of Texas, 1925, Article 2528, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts First Called Session, Forty-third Legislature, Article 2529, R. C. S. of Texas, 1925, Article 2530, R. C. S. of Texas, 1925, Article 2531, R. C. S. of Texas, 1925, Article 2532, R. C. S. of Texas,

1925, Article 2533, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts First Called Session, Forty-third Legislature, Article 2534, R. C. S. of Texas, 1925, Article 2535, R. C. S. of Texas, 1925, Article 2537, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts First Called Session, Forty-third Legislature; repealing all laws and parts of laws in conflict and expressly repealing Article 2539, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts First Called Session, Forty-third Legislature; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass but that the attached committee substitute do pass and be printed.

ISELL, Chairman.

Austin, Texas, March 10, 1937.

Committee Room,

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 275, A bill to be entitled "An Act amending Article 2544, R. C. S. of Texas, 1925, Article 2545, R. C. S. of Texas, 1925, Article 2546, R. C. S. of Texas, 1925, as amended by Chapter 129, Acts Fortieth Legislature, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate that it do pass and be printed.

ISELL, Chairman.

Committee Room,

Austin, Texas, March 10, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 394, A bill to be entitled "An Act to amend Articles 2477 and 2481, the Revised Civil Statutes of the State of Texas, as amended by Chapter 17, Acts of the Forty-first Legislature, Second Called Session of 19....., relating to rural credit unions and to loans made by such corporations, and also rates of interest to be charged by such unions, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass and be printed.

ISELL, Chairman.

Committee Room,

Austin, Texas, March 10, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 245, A bill to be entitled "An Act to amend Article 492 of Chapter 8, Title 16, of the Revised Civil Statutes of Texas, 1925, with respect to State control of banking institutions; providing that corporations organized under such title are declared to be governmental instrumentalities of the State; repealing all laws in conflict; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ISELL, Chairman.

Committee Room.

Austin, Texas, March 15, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 430, A bill to be entitled "An Act amending Subsection 102 of Article 199 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 16, Acts of the Thirty-ninth Legislature, Regular Session, as amended by Chapter 253, Acts of the Forty-third Legislature, Regular Session, as amended by Chapter 103, Special Laws of the Forty-third Legislature, Regular Session, as amended by Chapter 158, Acts of the Forty-fourth Legislature, Regular Session, providing for the time of hold the terms of Court of the District Court of the 102nd Judicial District of Texas, naming the counties constituting the same; changing the length of the terms of the District Court in the counties in said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand and petit jurors made necessary by the changes made by this Act, and validating and legalizing the same, and repealing all laws and parts of laws

in conflict, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

NELSON, Chairman.

Committee Room,

Austin, Texas, March 15, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 431, A bill to be entitled "An Act amending Subsection 76 of Article 199 of the Revised Civil Statutes of Texas, 1925, providing for the time of holding the terms of court of the District Court of the 76th Judicial District of Texas, changing the length of the terms of the District Court in the counties in said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand and petit jurors made necessary by the changes made by this Act, and validating and legalizing the same, and repealing all laws or parts of laws in conflict, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

NELSON, Chairman.

Committee Room,

Austin, Texas, March 15, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 432, A bill to be entitled "An Act, amending Article 199, Revised Civil Statutes of Texas, 1925, as amended by Chapter 254, Acts of the Forty-third Legislature, Regular Session, as amended by Chapter 104, Special Laws of the Forty-third Legislature, Regular Session, as amended by Chapter 158, Acts of the Forty-fourth Legislature, Regular Session; providing for the reorganization of the Fifth Judicial District, naming the counties constituting the same; fixing the terms of the District Court in the counties of the district; making provisions with reference to

process issued, bonds and recognizances made and grand and petit jurors drawn before this Act takes effect; providing for the jurisdiction of said courts as to civil and criminal business, fixing the time of taking effect of this Act; providing for the district clerk of such court; repealing all laws and parts of laws in conflict, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

NELSON, Chairman.

Committee Room,

Austin, Texas, March 16, 1937.

Hon. Will D. Pace, President Pro Tempore of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. C. R. No. 53, Granting to D. A. Snyder and Virginia Peters permission to sue the State of Texas and Board of Prison Commissioners of said State.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, March 16, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 250, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than thirteen thousand, six hundred (13,600) inhabitants, nor more than thirteen thousand, seven hundred (13,700) inhabitants, according to the last Federal Census as to population, and providing for the manner of the payment of the salaries and the funds from which said salaries shall be paid; repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SPEARS, Chairman.

Committee Room,

Austin, Texas, March 16, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 236, A bill to be entitled "An Act to repeal Section 17 of Article 8308, Revised Civil Statutes of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

COLLIE, Chairman.

Committee Room,

Austin, Texas, March 16, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 237, A bill to be entitled "An Act amending Article 8308, Revised Civil Statutes of the State of Texas of 1925, by adding a new Section thereto, to be designated Section 21a; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

COLLIE, Chairman.

#### FORTIETH DAY.

(Wednesday, March 17, 1937)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Redditt.
Burns.	Roberts.
Collie.	Shivers.
Cotten.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

The following Senators were absent and excused:

Davis.

Rawlings.

A quorum was announced present. The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of yesterday was dispensed with, on motion of Senator Roberts.

#### Reports of Standing Committees.

Reports on Senate Bills Nos. 397, 29, 395, 296, 156, 396, 405, 315, 349, 384, 111, 110, 112, 109, 259, 362, and 400; on House Bills Nos. 127, 81, 221, and 969, and on House Concurrent Resolutions Nos. 56, 66, 31, and 17, were submitted by the chairmen of the several committees to which they were referred. (See Appendix for reports in full.)

#### Senate Resolution No. 50.

Senator Moore offered the following resolution:

Be it Resolved by the Senate of Texas, That the following be adopted as the policy of the Senate relative to night sessions on local and minor bills:

First. That the date and hour of such sessions be fixed at least twenty-four (24) hours in advance;

Second. That all members of the Senate give to the Secretary of the Lieutenant Governor at least twenty-four (24) hours before the session the numbers of all bills they expect or desire to have acted upon;

Third. That a calendar be placed on the desk of each of the members not later than 10:00 a. m. the morning of such session;

Fourth. That any three members may object to the consideration of any bill in such session.

The resolution was read and was transmitted to the President's table.

#### Report of Conference Committee on Senate Bill No. 1.

Senator Burns submitted the following report of the Conference Committee on Senate Bill No. 1:

Committee Room,

Austin, Texas, March 16, 1937.

Hon. Walter F. Woodul, President of the Senate,

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Com-